

## REMARKS

Claims 1-15 are in the application.

In said Official Action the Examiner required that the drawings be corrected to show the "data collection database" of claim 1, the "analysis means" of claim 3, the "timing means and sensing to determine and store periods of time" of claim 10 and the "activation means" of claim 14. The attached amended Figures 1 and 2 embody the corrections. The specification has also been correspondingly amended with reference to data collection data base 40 in Figure 2, fuel level analysis means in Figure 1, timing and sensing means 15 in Figure 1, and activation means in the form of ignition key 13 in Figure 4. No new matter is added thereby.

In said Official Action the Examiner rejected claims 3, 9, 10 and 14 under 35 USC §112, first paragraph, as containing subject matter not described in the specification, i.e., inadequate written description. Specifically, the Examiner referred to "analysis means for interpreting factors relevant to the meaning of particular fuel level sensor readings", and "correlation means to evaluate a vehicle fuel tank as being filled" in claim 3. The Examiner further referred to "store maintenance information unique to the vehicle" in claim 9; "timing means and sensing means to determine and store periods of time in which the vehicle is located in said lot to determine efficiency in vehicle processing" in claim 10; and "activating means" in claim 14. Claim 2 was rejected under 35 USC §112, second paragraph, as lacking antecedent basis for "said personal identification".

In response thereto it is submitted that claim 2 has been amended to obviate the lack of antecedent basis. In

addition, the features of "analysis means for interpreting factors relevant to the meaning of particular fuel level sensor readings" is attained by associating the reading from the fuel level sensor (in Ohms) to the corresponding fuel level, as per any standard automotive manual (i.e., car manuals generally available for automobiles, prior to the date of this application) which provides the detailed correlation in a tabular format (see for example attached table). Significant changes to the fuel level while the vehicle is idle (attained by simultaneous monitoring of the odometer) would be the result of a refueling event. These are readily evident to one skilled in the art in view of the teachings of the present application and the description thereof is adequate for the practice of the claimed invention. The reference to "store maintenance information unique to the vehicle" in claim 9 is simply computer memory into which maintenance information for the particular vehicle is stored. The terms "timing means and sensing means to determine and store periods of time in which the vehicle is located in said lot to determine efficiency in vehicle processing" in claim 10 clearly refers to computer memory means into which sensed vehicle location for time durations (with clock elements) are stored. Activating means in claim 10, clearly is exemplified by the ignition key which activates the automobile when enable to do so. The Examiner is accordingly requested to review and withdraw the rejection of the claims under 35 USC §112.

The Examiner rejected claims 1-9 and 11-15 under 35 USC §102(b) as being anticipated by Strong. Claim 10 was rejected under 35 USC §103(a) as being unpatentable over Strong in view of Flick.

In response thereto it is submitted that all the claims require that:

"...each of the transmitter/receiver means is adapted to separately communicate with the data base without interference with communication from another of said transmitter/receiver means..."

and that the communication with the transmitter/receiver is at any location within the lot. Accordingly, even when vehicles are adjacent each other, there is no interference, as a result of electronic rejection of overlapping signals, i.e., literally "polite" transmitter/receivers which queue up in communicating with the data base or with each other rather than simultaneously communicating with the data base with similar information.

In order to avoid interference, Strong, at column 4, line 54-column 5, line 2 however specifies that only a specified area or zone is available for communication, i.e., only one vehicle in only a specific zone at a time:

"...In order to determine when a vehicle 32 enters the return garage 36 or surrounding area, the host computer 52 transmits a polling signal through the base station 58 at periodic intervals. The polling signal is a broadcast message directed to the vehicle monitoring circuitry 70 (FIG. 7) associated with all vehicles being returned. In order to avoid the base station accidentally polling the vehicle monitoring circuitry 70 associated with other vehicles 32 on the lot or in other areas, the transmit power level of the base station 58 is adjusted so that only vehicles 32 within a known zone of the base station 58 will receive the polling messages. The zone in which the base station 58 can reliably transmit and receive wireless communication with other devices is typically referred to as the base station's cell coverage area..."  
emphasis supplied

Thus, Strong neither anticipates the present claims nor renders them obvious, since the Strong solution is simply to isolate the vehicles in a single vehicle zone with the zone being specified. However, with such isolation, many of the presently claimed functions (e.g., claims 4, 5, 6 10 and 11, as well as the drawings) of multiple vehicle monitoring become difficult, if not

impossible, with designated single vehicle communication zones. There is not the slightest teaching or suggestion of a lot having at least two vehicle (as in the present claims) wherein communication is effected throughout the lot. In fact, Strong's method of RF communication requires the isolation zones to avoid interference. The Flick reference adds no additional elements to negate Strong's method limitation. The Examiner is accordingly requested to review and withdraw the rejections of the claims based on the cited Strong reference.

In view of the above amendments and discussion it is submitted that the claims are patentable over the cited prior art and are in condition for allowance. Such favorable action is respectfully solicited.

Respectfully submitted,  
KENNETH S. EHRMAN ET AL

By:

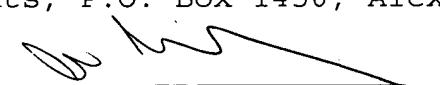
1038 56th Street  
Brooklyn, NY 11219  
(718) 633-4044

  
Israel Nissenbaum  
Attorney for Applicants  
Reg. No. 27,582

I hereby certify that this communication is being deposited with the United States Postal Service as first class mail, postage prepaid, on May 16, 2003, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

5/16/03

  
Israel Nissenbaum

**ALLDATA**  
www.AutoZone.com

HELP | VEHICLE | ACCOUNT | EXIT

2001 Chevrolet Malibu V6-191 3.1L VIN J SFI

[Top - Vehicle](#)  
 ↳ [Specifications](#)  
   ↳ [Electrical Specifications](#)  
     ↳ [Fuel Gauge](#)

SEARCH
or
Contact ALLDATA

**Electrical Specifications**

Notes

Fuel Level Specifications			
<b>Fuel Level Specifications</b>			
Fuel Gauge Display	Resistance	Fuel Level	Fuel Remaining
E	40–47Ω	4–10%	2–5.4 L (0.5–1.4 gal)
1/4	90Ω	31%	16.6 L (4.4 gal)
1/2	130Ω	54%	29.3 L (7.8 gal)
3/4	164Ω	74%	40.3 L (10.6 gal)
F	207–250Ω	97–100%	52.4–64.1 L (13.8–14.3 gal)
Low Fuel Indicator On	45Ω	7%	4.0 L (1.0 gal)

[ZOOM](#) | [SIZED FOR PRINT](#)

Copyright © 2003 ALLDATA LLC  
[Terms of Use](#)